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April 12, 2005

Gregory J. Vogt  
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Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: Opposition of Innovative to Choice's Request for Confidential Treatment,  
Petition of Choice Communications LLC For Designation As An Eligible  
Telecommunications Carrier, CC Docket No. 96-45

Dear Ms. Dortch:

On January 13, 2005, Choice Communications LLC ("Choice") filed an application requesting that the Federal Communications Commission ("FCC" or "Commission") designate it as the second eligible telecommunications carrier ("ETC") in the U.S. Virgin Islands.<sup>1</sup> The Act requires that Choice submit sufficient information for the Commission to evaluate if Choice has demonstrated that it satisfies the criteria for ETC status, including whether it is in the public interest to designate an additional ETC in the territory of the rural ILEC. Yet, Choice's application failed to include the requisite supporting documentation including, among other things, maps showing current coverage area. On February 9, 2005, Choice submitted a blanket request for confidential treatment of various yet-to-be-filed coverage maps.<sup>2</sup> Subsequently, on March 16, 2005, Choice filed "maps illustrating Choice's coverage area", renewed its request for confidential treatment and withheld such maps from public disclosure.<sup>3</sup>

Innovative Telephone ("Innovative") respectfully urges the Commission to deny Choice's request for confidential treatment because Choice's conclusory statements utterly fail to demonstrate, by a preponderance of the evidence, that Choice's maps should be withheld from public disclosure. Choice's request is unprecedented – Innovative is unable to locate any ETC request for confidential

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<sup>1</sup> *Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands of Choice Communications LLC*, CC Dkt. No. 96-45 (filed Jan. 13, 2005) ("Choice Application").

<sup>2</sup> See Letter to Marlene H. Dortch, Secretary, Federal Communications Commission, from Jennifer M. Kashatus, Counsel to Choice Communications LLC, CC Dkt. No. 96-45, Attachment A, (March 16, 2005) ("Choice Letter").

<sup>3</sup> Choice Letter, 1.

Marlene H. Dortch

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treatment of coverage maps. Instead, ETC applicants, who are seeking substantial government subsidies, submit coverage maps for public inspection—as well as far more detailed information on planned upgrades—so that interested parties may provide comment on the ETC application.

In this case, because Choice has requested ETC status in the territory served by Innovative, a rural ILEC, Choice's service area must be the same as the study area for Innovative.<sup>4</sup> Choice has made somewhat different claims about its coverage area: that it is "authorized" to serve the U.S. Virgin Islands Territory;<sup>5</sup> that its wireless network enables it to offer service to "large parts" of St. Thomas, St. John, and St. Croix;<sup>6</sup> and that to Choice's "knowledge" it believes that Innovative's study area is the same as Choice's coverage area.<sup>7</sup> If one of those Choice statements accurately describes its coverage area in its submissions before the Commission, the maps should convey no more competitively sensitive information than Choice already has disclosed.<sup>8</sup>

Rather than permit parties to review Choice's proof to evaluate whether Choice's representations are accurate, Choice is requesting that interested parties simply take Choice's representations at face value. Yet, Choice's position prevents the public from pointing out any deficiencies in the application or to evaluate which of Choice's coverage descriptions, if any, is accurate. As the Commission has explained, "[t]o offer meaningful comments on [Choice's ETC application], the

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<sup>4</sup> 47 C.F.R. § 54.207(b). *See also* 47 U.S.C. § 214(e)(1). The Commission also has stated that ETC applicants must provide enough information to allow "consideration of fact-specific circumstances of the carrier and the designated service area." *Federal-State Joint Board on Universal Service*, Report and Order, FCC 05-46, ¶ 24 (rel. Mar. 17, 2005).

<sup>5</sup> *Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands of Choice Communications LLC*, at 17, 24, CC Dkt. No. 96-45 (filed Jan. 13, 2005) ("Choice Application").

<sup>6</sup> *Id.* at 14.

<sup>7</sup> *Id.* at Exhibit 1.

<sup>8</sup> If Choice's service area is not the same as Innovative's service area, Choice must submit a request to the Commission to redefine Innovative's service area. 47 C.F.R. § 54.207(c). Thus, the scope of Choice's service area is a fundamental requirement that the public must be able to review to determine if Choice's application is faulty.

Marlene H. Dortch

April 12, 2005

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public *must* have access to sufficient information.”<sup>9</sup> Such public comment is particularly important here where Choice represented that it offered voice telephone service in the U.S. Virgin Islands, but three separate inquiries from but a local U.S. Virgin Islands businessman to Choice revealed that no such service is actually provided.<sup>10</sup>

Moreover, Innovative can find *no* case in all of the Commission’s ETC proceedings where an ETC applicant’s coverage area was afforded confidential treatment. Indeed, ETC applicants routinely file far more detailed information for public comment than the simple coverage map that Choice seeks to withhold from the public record. For example, maps filed by Virginia Cellular and Advantage Cellular contained the locations of proposed cellular towers.<sup>11</sup> Likewise, ETC applicants in rural areas routinely provide comprehensive build-out plans on the public record. Thus, Virginia Cellular and Highland Cellular each provided the site names and locations of proposed facilities, estimates of the population to be served by each site, and an estimated budget for each site.<sup>12</sup> Similarly, Saipancell provided the location of proposed facilities, the type of facility, the estimated construction costs for each site (initial outlay and costs per month), and the populations to be

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<sup>9</sup> *Section 272(d) Biennial Audit of Verizon Communications*, Memorandum Opinion and Order, 18 FCC Rcd 25496, ¶ 4 (2003) (emphasis added).

<sup>10</sup> Opposition of the Virgin Islands Telephone Company d/b/a Innovative Telephone, *Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands of Choice Communications LLC*, Exhibit 1 (Declaration of Donald E. Parrish), CC Dkt. No. 96-45 (filed Feb. 23, 2005).

<sup>11</sup> *Second Supplement to Application for Designation as an Eligible Telecommunications Carrier in the State of Tennessee* of Advantage Cellular Systems, Inc., CC Dkt. No. 96-45 at Exhibit A (filed May 18, 2004); Letter from David LaFuria, Counsel to Virginia Cellular LLC, to Marlene Dortch, Secretary, Federal Communications Commission, CC Dkt. No. 96-45 at 7 (dated Nov. 12, 2003) (“Virginia Cellular Submission”). Copies of Advantage Cellular’s and Virginia Cellular’s maps are provided at Attachment A.

<sup>12</sup> Virginia Cellular Submission at 6; Letter from David LaFuria, Counsel to Highland Cellular LLC, to Marlene Dortch, Secretary, Federal Communications Commission, CC Dkt. No. 96-45 at Attachments 1 & 2 (dated Dec. 12, 2003). Copies of Virginia Cellular’s and Highland Cellular’s build-out plans are provided at Attachment B.

Marlene H. Dortch

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served by the proposed sites.<sup>13</sup> Finally, Nextel provided not only the information described above, but also a start date and completion date for each site.<sup>14</sup> In short, Choice's request would be unprecedented and should be rejected.

At a minimum, if the Commission affords any confidential treatment to the information Choice submitted on March 16, 2005, the Commission should release the information pursuant to the Model Protective Order so that interested parties' counsel and consultants may review the materials and provide comment. As the Commission has explained, "[p]rotective orders or agreements require parties to whom confidential information is made available to limit the persons who will have access to the information and the purposes for which the information will be used."<sup>15</sup> Such protective orders are routinely used by the Commission in proceedings ranging from merger proceedings to the Triennial Review Remand proceeding. Even assuming Choice's concerns were valid, the protection in such orders is more than adequate to address such concerns.

For the foregoing reasons, therefore, Innovative respectfully requests that the Commission deny Choice's request for confidential treatment or, in the alternative and at a minimum, release the information pursuant to the Commission's Model Protective Order.

Sincerely,

/s/ Gregory J. Vogt

Gregory J. Vogt

Counsel for Innovative Telephone

cc: Mark Seifert (via email)  
Pam Slipakoff (via email)

---

<sup>13</sup> Letter from David LaFuria, Counsel to Saipancell, to Marlene Dortch, Secretary, Federal Communications Commission, CC Dkt. No. 96-45 at Exhibit A (dated June 14, 2004). A copy of Saipancell's build-out plan is provided at Attachment B.

<sup>14</sup> Letter from Albert J. Catalano, Counsel to NPCR (Nextel), to Marlene Dortch, Secretary, Federal Communications Commission, CC Dkt. No. 96-45 at Attachments 1 & 2 (dated June 2, 2004). A copy of Nextel's build-out plan is provided at Attachment B.

<sup>15</sup> *Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, Report and Order, 13 FCC Rcd 24816, ¶ 21 (1998).

# **Attachment A**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Federal-State Joint Board on</b>	)	
<b>Universal Service</b>	)	<b>CC Docket No. 96-45</b>
	)	
<b>Advantage Cellular Systems, Inc.</b>	)	
	)	
<b>Application for Designation as an</b>	)	
<b>Eligible Telecommunications Carrier</b>	)	
<b>in the State of Tennessee</b>	)	

**To: Wireline Competition Bureau**

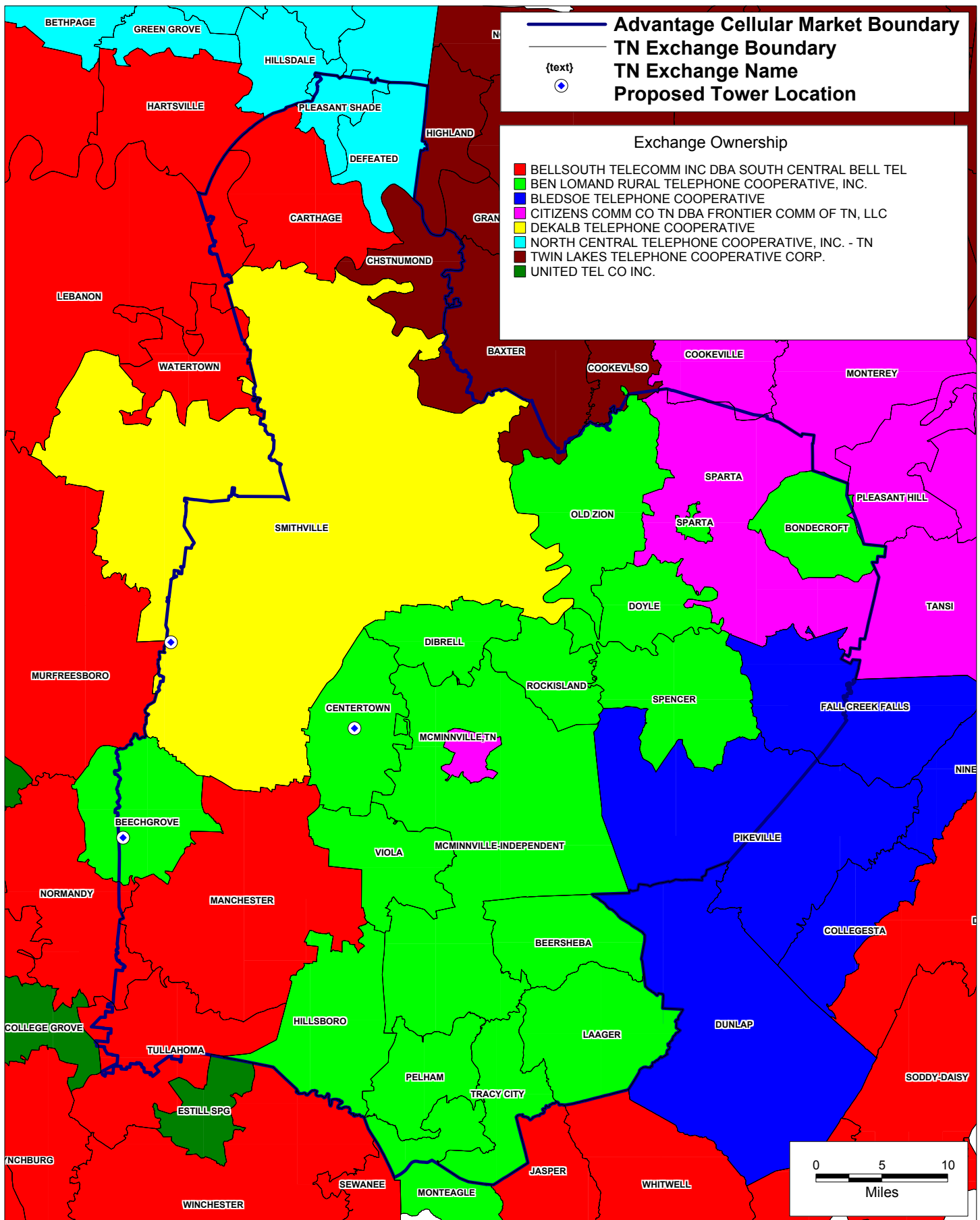
**SECOND SUPPLEMENT**

**ADVANTAGE CELLULAR  
SYSTEMS, INC.**

Caressa D. Bennet  
Michael R. Bennet  
Rebecca L. Murphy  
Bennet & Bennet, PLLC  
1000 Vermont Avenue, NW  
Tenth Floor  
Washington, DC 20005  
202-371-1500

Its Attorneys

Dated: May 18, 2004



March 30, 2004



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**WRITER'S DIRECT DIAL**  
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November 12, 2003

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Office of Managing Director  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

Attn: Wireline Competition Bureau

Re: Virginia Cellular, LLC  
Petition for ETC Status  
Docket No. 96-45

Dear Madam Secretary:

Virginia Cellular, LLC ("Virginia Cellular") hereby amends its above-referenced petition for ETC status in the Commonwealth of Virginia to provide additional information requested by the Commission, through its Wireline Competition Bureau ("WCB").

**1. CTIA's Consumer Code for Wireless Services.**

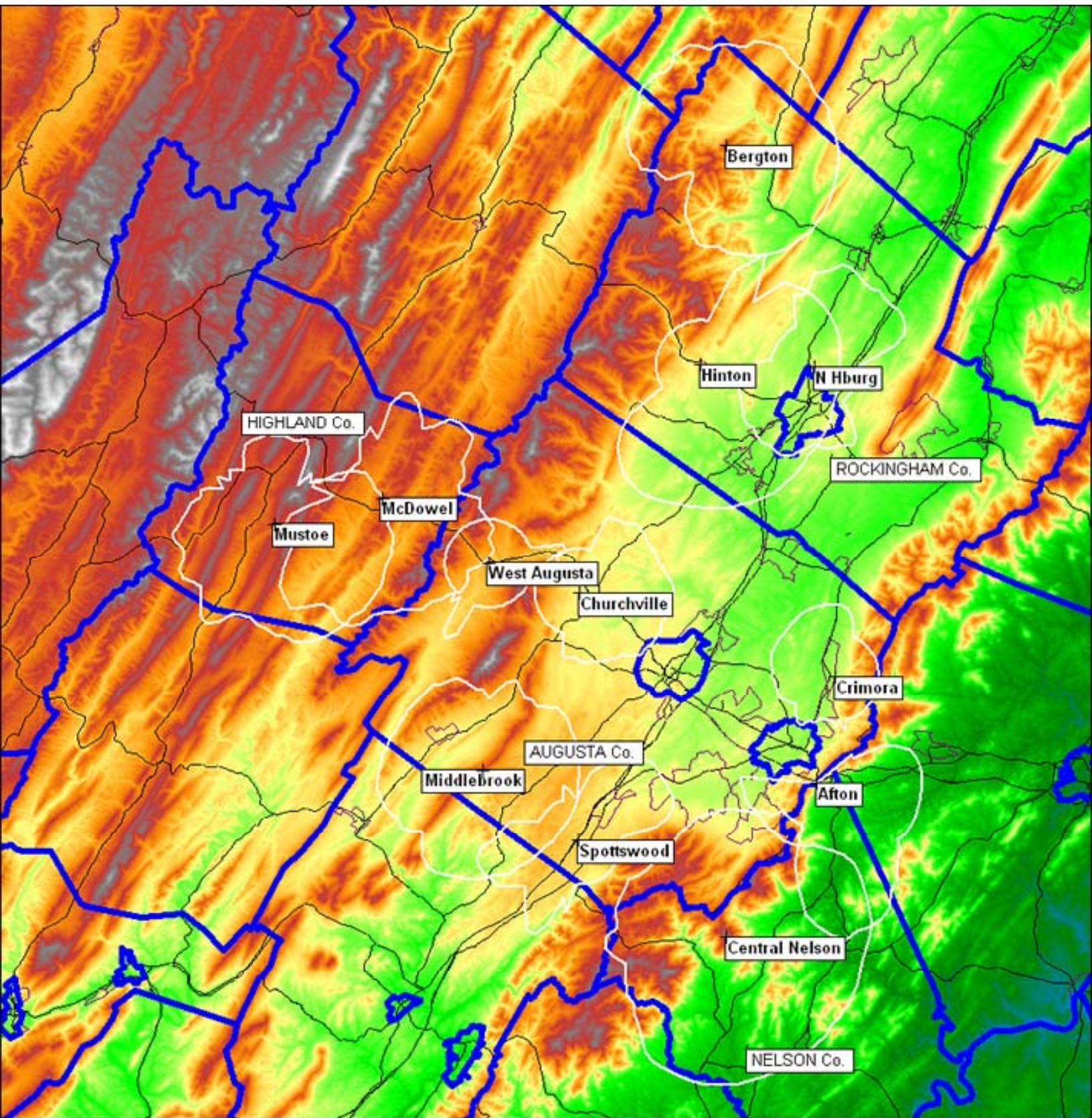
The Commission has requested Virginia Cellular to abide by the CTIA's Consumer Code for Wireless Services.<sup>1</sup>

If designated as an ETC, Virginia Cellular commits to abide by the CTIA Consumer Code for Wireless Services, as it may be amended from time to time, for all of its operations in the Commonwealth of Virginia.

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<sup>1</sup> [http://www.wow-com.com/pdf/The\\_Code.pdf](http://www.wow-com.com/pdf/The_Code.pdf)





## **Attachment B**



**LUKAS, NACE, GUTIERREZ & SACHS**  
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November 12, 2003

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Office of Managing Director  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

Attn: Wireline Competition Bureau

Re: Virginia Cellular, LLC  
Petition for ETC Status  
Docket No. 96-45

Dear Madam Secretary:

Virginia Cellular, LLC ("Virginia Cellular") hereby amends its above-referenced petition for ETC status in the Commonwealth of Virginia to provide additional information requested by the Commission, through its Wireline Competition Bureau ("WCB").

**1. CTIA's Consumer Code for Wireless Services.**

The Commission has requested Virginia Cellular to abide by the CTIA's Consumer Code for Wireless Services.<sup>1</sup>

If designated as an ETC, Virginia Cellular commits to abide by the CTIA Consumer Code for Wireless Services, as it may be amended from time to time, for all of its operations in the Commonwealth of Virginia.

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<sup>1</sup> [http://www.wow-com.com/pdf/The\\_Code.pdf](http://www.wow-com.com/pdf/The_Code.pdf)

Virginia Cellular LLC  
Proposed Sites Constructed with ETC funds

<b>1st Qtr</b>			
<b>Site Name</b>	<b>Location</b>	<b>Population within contour</b>	<b>Budget*</b>
Crimora	Augusta County	7,019	\$ 250,000.00
Hinton	Rockingham County	65,027	\$ 250,000.00
<b>Total (estimate)</b>		<b>72,046</b>	<b>\$ 500,000.00</b>
<b>2nd Qtr</b>			
<b>Site Name</b>	<b>Location</b>	<b>Population within contour</b>	<b>Budget*</b>
North Harrisonburg	Rockingham County	52,750	\$ 250,000.00
Churchville	Augusta County	5,865	\$ 250,000.00
<b>Total (estimate)</b>		<b>58,615</b>	<b>\$ 500,000.00</b>
<b>3rd Qtr</b>			
<b>Site Name</b>	<b>Location</b>	<b>Population within contour</b>	<b>Budget*</b>
Spottswood	Augusta County	7,114	\$ 250,000.00
Central Nelson	Nelson County	9,354	\$ 250,000.00
<b>Total (estimate)</b>		<b>16,468</b>	<b>\$ 500,000.00</b>
<b>4th Qtr</b>			
<b>Site Name</b>	<b>Location</b>	<b>Population within contour</b>	<b>Budget*</b>
Middlebrook	Augusta County	4,749	\$ 250,000.00
Bergton	Rockingham County	2,987	\$ 250,000.00
<b>Total (estimate)</b>		<b>7,736</b>	<b>\$ 500,000.00</b>
<b>5th Qtr</b>			
<b>Site Name</b>	<b>Location</b>	<b>Population within contour</b>	<b>Budget*</b>
Afton	Nelson County	7,064	\$ 250,000.00
McDowel	Highland County	731	\$ 250,000.00
<b>Total (estimate)</b>		<b>7,795</b>	<b>\$ 500,000.00</b>
<b>6th Qtr</b>			
<b>Site Name</b>	<b>Location</b>	<b>Population within contour</b>	<b>Budget*</b>
Mustoe	Highland County	1,094	\$ 250,000.00
West Augusta	Augusta County	325	\$ 250,000.00
<b>Total (estimate)</b>		<b>1,419</b>	<b>\$ 500,000.00</b>
* Estimate based on current network costs.			

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December 12, 2003

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Office of Managing Director  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

Attn: Wireline Competition Bureau

Re: Highland Cellular, Inc.  
Petition for Designation as an ETC in the Commonwealth of Virginia  
Docket No. 96-45, DA 02-2487

Dear Madam Secretary:

Highland Cellular, Inc. ("Highland") hereby supplements its above-referenced petition for ETC status in the Commonwealth of Virginia<sup>1</sup> to provide additional information requested by the Commission, through its Wireline Competition Bureau ("WCB").

**1. Population of Towns to be Served by Highland's Proposed Construction.**

The Commission has requested Highland to provide population data for the towns that Highland included in its attachment to the amendment filed on November 19, 2003 ("November 19 Amendment").<sup>2</sup> In that attachment, Highland provided estimates of the populations contained in the various towns to be covered by its proposed construction. A copy of that attachment is included here as Attachment 2 for your convenience.

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<sup>1</sup> See Highland Cellular, Inc. Petition for Designation as an Eligible Telecommunications Carrier in the State of Virginia, CC Docket No. 96-45, Sept. 19, 2002.

<sup>2</sup> See *ex parte* letter from David LaFuria in CC Docket No. 96-45, dated November 19, 2003.

**ATTACHMENT 1**

**POPULATION OF AREAS DESCRIBED IN  
SECOND ALTERNATIVE PROPOSAL**

<b>Site</b>	<b>Towns Covered</b>	<b>Est. Pops. Covered</b>	<b>Est. Budget</b>
1	Tiptop/Bailey/Horsepen and surrounding area	2,258	\$300,000
2	Pocahontas, Bernieville, Boissevain and surrounding area	3,411	\$300,000
3	Burkes Garden, Littletown, Gose Mill and surrounding area	1,036	\$300,000

**ATTACHMENT 2**

**POPULATION CHART SUBMITTED WITH  
NOVEMBER 19 AMENDMENT**



#	Site Name	Towns Covered	Est. Pops Covered	Est. Budget
1	Jewell Ridge	Jewell Ridge, Coaldan, Pleasant Hill	1,000 - 1,250	\$ 300,000
2	Raven	Raven, Doran	1,500 - 2,000	\$ 300,000
3	Clifffield	Clifffield, Maxwell, Gillespie	750 - 1,250	\$ 250,000

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June 14, 2004

**VIA ELECTRONIC FILING**

Marlene H. Dortch, Secretary  
Office of Managing Director  
Federal Communications Commission  
445 12th Street, S.W.  
Room TW-B204  
Washington, DC 20554

Attn: Wireline Competition Bureau

**Re: Guam Cellular and Paging, Inc. d/b/a Saipancell  
Petition for Designation as an Eligible Telecommunications  
Carrier on the Islands of Saipan, Tinian and Rota in the  
Commonwealth of the Northern Mariana Islands  
CC Docket No. 96-45**

Dear Madam Secretary:

Guam Cellular and Paging, Inc. d/b/a Saipancell ("Saipancell") hereby amends its above-referenced petition for ETC status in the Commonwealth of the Northern Mariana Islands ("CNMI")<sup>1</sup> to provide information requested by the Commission, through its Wireline Competition Bureau ("WCB"), in addition to the information provided in Saipancell's amendment dated March 9, 2004 ("March 9 Amendment").

In its March 9 Amendment, Saipancell set forth a number of commitments it would make as an ETC, in response to a request from Bureau staff for a supplemental filing consistent with the Commission's *Virginia Cellular* decision.<sup>2</sup> These commitments included, *inter alia*, a

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<sup>1</sup> Guam Cellular and Paging, Inc. d/b/a Saipancell, Petition for Designation as an Eligible Telecommunications Carrier on the Islands of Saipan, Tinian, and Rota in the Commonwealth of Northern Mariana Islands, CC Docket No. 96-45 (filed Feb. 19, 2002) ("Petition"). Amendments to the Petition were filed on April 15, 2002, May 8, 2002, October 15, 2002, January 22, 2003, February 10, 2003, and March 9, 2004.

<sup>2</sup> *Virginia Cellular, LLC*, 19 FCC Rcd 1563 (2004), *recon. pending* ("*Virginia Cellular*").

Ms. Marlene H. Dortch

June 14, 2004

Page 2

statement that, in the event Saipancell's petition is granted, "Saipancell plans to construct three to five new cell sites on the island of Rota, and one to two sites on the island of Tinian." March 9 Amendment at p. 5. In addition, Saipancell stated that it would "examine on an ongoing basis whether additional 'fill-in' facilities need to be constructed to reach unserved subscribers." *Id.* Saipancell noted that, in the absence of a specific request for service, general consumer demand often shifts which can cause a planned cell site to be relocated. *Id.* at pp. 4-5. Finally, Saipancell committed to "provide the Commission with information on how high-cost support funds are used so that any changes in construction plans can be properly explained." *Id.* at p. 5.

Saipancell recently received a follow-up request from Bureau staff for detailed information regarding the nature and location of the proposed facilities that were referred to in the March 9 Amendment. Saipancell therefore provides a chart attached as Exhibit A hereto for the Bureau's consideration in this matter.

We trust that you will find this information to be useful. Should you have any questions or require any additional information, please contact undersigned counsel directly.

Respectfully submitted,

GUAM CELLULAR AND PAGING, INC.  
D/B/A SAIPANCELL

By: \_\_\_\_\_/s/\_\_\_\_\_  
David A. LaFuria  
Steven M. Chernoff  
Its Counsel

cc: Thomas Buckley, Esq.  
Lawrence W. Katz, Esq.

**Guam Cellular and Paging, Inc. d/b/a Saipancell**  
**Construction Plans Related To Petition for ETC Status in CNMI**

June 14, 2004

<b>Location</b>	<b>Type of Facility</b>	<b>Estimated Cost</b>
Tinian	Rooftop antenna on Tinian Dynasty hotel	\$75,000 initial outlay plus \$20,000 per month in backhaul costs*
Tinian	Full tower	\$500,000 initial outlay plus \$20,000 per month in backhaul costs
Rota	Building-mounted antenna	\$70,000 initial outlay** plus \$20,000 per month in backhaul costs
Rota	Building-mounted antenna	\$70,000 initial outlay** plus \$20,000 per month in backhaul costs
Rota	Building-mounted antenna	\$70,000 initial outlay** plus \$20,000 per month in backhaul costs

Estimated total population that would be served by proposed sites:

Tinian: 2,000  
Rota: 5,000

\* The only backhaul facility available in the area is among the most expensive in the world, providing connectivity at a rate of approximately \$100 per mile. Accordingly, backhaul is the most expensive component of cellular coverage in Tinian and Rota.

\*\* This estimated construction cost assumes the availability of collocation.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

June 2, 2004

**Via Hand Delivery**

Marlene H. Dortch, Secretary  
Office of Managing Director  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Room TW-B204  
Washington, DC 20554

Attention: Wireline Competition Bureau

Re: NPCR, Inc. d/b/a Nextel Partners  
Nextel Partners of Upstate New York, Inc. d/b/a Nextel Partners  
Updates to Supplements to ETC Petitions for Pennsylvania, New York, Alabama,  
Virginia, Tennessee, Georgia and Florida in CC Docket No. 96-45

Dear Secretary Dortch:

NPCR, Inc. d/b/a Nextel Partners and Nextel Partners of Upstate New York, Inc. d/b/a Nextel Partners (collectively, "Nextel Partners"), by undersigned counsel, hereby submit updates to the March 24, 2004 "Supplements" filed with respect to their Petitions for Designation as an Eligible Telecommunications Carrier in the states of Pennsylvania (filed April 3, 2003), New York (filed April 3, 2003), Alabama (filed April 4, 2003), Virginia (filed April 23, 2003), Tennessee (filed June 12, 2003), Georgia (filed July 10, 2003) and Florida (filed September 16, 2003). As updated herewith, Nextel Partners' Petitions present no new or novel issues for consideration and therefore may be decided fully within the decisional framework established by the Commission in the *Virginia Cellular Order*. Based on the record of this proceeding, the Commission should grant Nextel Partners' Petition expeditiously.

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Respectfully submitted,

NPCR, INC. D/B/A NEXTEL PARTNERS

NEXTEL PARTNERS OF UPSTATE NEW  
YORK, INC. D/B/A NEXTEL PARTNERS

By: Albert J. Catalano

Albert J. Catalano

Matthew J. Plache

Ronald J. Jarvis

Catalano & Plache PLLC

3221 M Street NW

Washington, DC 20007

(202) 338-3200 voice

(202) 338-1700 facsimile

Counsel for Nextel Partners

Attachments: Updates on ETC Petition Supplements

cc: Eric Einhorn, Chief, TAPD  
Anita Cheng, TAPD  
Thomas Buckley, TAPD  
Karen Franklin, TAPD

## Nextel Partners

### Construction Plan for Pennsylvania Designated Areas

<u>Location</u>	<u>Study</u>		<u>Description</u>	<u>Capital Amount</u>	<u>Build</u>	<u>Build</u>	
(Projected Completion 2004)	<u>Area Name</u>	<u>SAC</u>			<u>Start Date</u>	<u>Completion Date</u>	<u>POPs Affected</u>
Reesers Summit	Commonwealth Tel	170161	Antenna changes - expand coverage	\$ 4,100	12-Jul-04	19-Jul-04	374717
Sun Valley	Commonwealth Tel	170161	New site - expand coverage	\$ 174,000	29-Jan-04	(Completed)	40043
Pocono	Commonwealth Tel	170161	New site - expand coverage	\$ 332,000	10-May-04	15-Nov-04	82607
Dry Land Hill	Commonwealth Tel	170161	New Site - expand coverage	\$ 298,000	7-Jun-04	15-Jun-04	11629
Tower City	Commonwealth Tel	170161	New site - expand coverage	\$ 216,000	10-May-04	15-Jul-04	6669
West Hazleton	Commonwealth Tel	170161	New site - expand coverage	\$ 191,000	10-May-04	15-Jul-04	36458
Mifflinburg	Buffalo Valley	170151	New site - expand coverage	\$ 134,000	16-Mar-04	(Completed)	34455
Elizabethville	Commonwealth Tel	170161	New site - expand coverage	\$ 165,000	1-Nov-04	15-Dec-04	25460
Peach Bottom	Commonwealth Tel	170161	New site - expand coverage	\$ 165,000	1-Feb-04	(Completed)	39599
Towanda	Commonwealth Tel	170161	New site - expand coverage	\$ 165,000	1-Nov-04	15-Dec-04	11324
Mansfield	Commonwealth Tel	170161	New site - expand coverage	\$ 185,000	1-Nov-04	15-Dec-04	8623
Switch			Switch Capital for 10 new sites	\$ 190,000			
				<b>\$ 2,219,100</b>			
<b>(Projected Completion 2005)</b>							
Lackawaxen	Lackawaxen	170177	New site - expand coverage	\$ 157,000	1-Mar-05	15-May-05	22434
Forest City	North Eastern PA	170191	New site - expand coverage	\$ 170,000	1-Apr-05	15-Jun-05	53631
Wyalusing	Commonwealth Tel	170161	New site - expand coverage	<u>\$ 173,000</u>	1-Apr-05	15-Jul-05	4002
				<b>\$ 500,000</b>			

## Nextel Partners

### Construction Plan for New York Designated Areas

<u>Location</u>	<u>Study</u> <u>Area Name</u>	<u>SAC</u>	<u>Description</u>	<u>Capital Amount</u>	<u>Build</u> <u>Start Date</u>	<u>Build</u> <u>Completion Date</u>	<u>POPs Affected</u>
Hunter	Verizon NY	155130	New Site	\$ 181,000	2-Aug-04	1-Sep-04	7690
Fort Ann	Verizon NY	155130	New Site - Expand Coverage	\$ 274,000	1-Jul-04	2-Aug-04	4263
Corinth	Citizens of NY-Upstate	154532	New Site - Expand Coverage	\$ 147,000	18-Oct-04	23-Nov-04	11444
Greenfield Center	Verizon NY	155130	New Site - Expand Coverage	\$ 191,000	30-Dec-04	(Completed)	118937
Greenwich	Verizon NY	155130	New Site - Expand Coverage	\$ 204,000	7-Sep-04	15-Oct-04	45277
Hoosick Falls	Verizon NY	155130	New Site - Expand Coverage	\$ 130,000	10-Feb-04	(Completed)	57831
Schaghticoke	Verizon NY	155130	New Site - Expand Coverage	\$ 184,300	2-Aug-04	1-Sep-04	99168
Troy	Verizon NY	155130	New Site - Network Quality	\$ 198,000	9-Aug-04	30-Sep-04	298848
Fort Drum	Verizon NY	155130	New Site - Expand Coverage	\$ 169,000	16-Feb-04	(Completed)	77495
Oswego	Verizon NY	155130	New Site - Expand Coverage	\$ 203,000	7-Jul-04	26-Aug-04	108494
East Oswego	Verizon NY	155130	New Site - Expand Coverage	\$ 210,000	6-Sep-04	27-Sep-04	80099
Syracuse-Westcott	Alltel NY-Fulton	150106	New Site - Network Quality	\$ 249,000	16-Feb-04	(Completed)	253579
Syracuse-Grant	Verizon NY	155130	New Site - Network Quality	\$ 237,000	12-Feb-04	(Completed)	326315
Pittsford	Frontier-Rochester	150121	New Site - Network Quality	\$ 228,000	Cancelled*	N/A	106321
Penfield	Frontier-Rochester	150121	New Site - Network Quality	\$ 194,000	12-Jul-04	15-Sep-04	355267
Rochester-Kennedy Twrs	Frontier-Rochester	150121	New Site - Network Quality	\$ 247,000	10-May-04	9-Jul-04	516726
Medina	Verizon NY	155130	New Site - Expand Coverage	\$ 151,000	30-Aug-04	15-Oct-04	64463
Walden-Central	Verizon NY	155130	New Site - Expand Coverage	\$ 127,000	9-Dec-03	(Completed)	305627
Cassadaga	Dunkirk & Fredonia	150091	New Site - Expand Coverage	\$ 178,000	23-Aug-04	15-Oct-04	46879
Irondequoit	Frontier-Rochester	150121	Antenna changes	\$ 7,000	1-Aug-04	1-Sep-04	443710
Rochester-High Falls	Frontier-Rochester	150121	Antenna changes	\$ 16,000	1-Aug-04	1-Sep-04	451599
West Seneca	Verizon NY	155130	Antenna changes	\$ 8,000	1-Aug-04	1-Sep-04	385247
New Baltimore	State Tel Co	150125	Add 2 sectors	\$ 72,000	28-Apr-04	1-Jun-04	146402
Rochester-Lincoln Park	Frontier-Rochester	150121	Antenna changes	\$ 3,000	1-Aug-04	1-Sep-04	430379
Lancaster	Verizon NY	155130	Antenna changes	\$ 4,000	1-Aug-04	1-Sep-04	503820
Waverly	Verizon NY	155130	Antenna changes	\$ 6,000	1-Aug-04	1-Sep-04	20493
Nichols	Citizens of NY-Western Counties	154534	Antenna changes	\$ 6,000	24-Aug-04	1-Sep-04	26419
S. Bristol	Frontier-Rochester	150121	Antenna changes	\$ 13,000	1-Aug-04	1-Sep-04	91804
Syracuse Switch			Switch Capital for 19 additional sites	\$ 361,000			
				<b>\$4,198,000</b>			

\* NOTE: The Pittsford site, located in the non-rural Frontier-Rochester SAC 150121, was cancelled due to public opposition to construction of the site. No alternative site has been selected as of this writing.



**Nextel Partners**  
**Construction Plan for Alabama Designated Areas**

<u>Location</u>	<u>Study Area Name</u>	<u>SAC</u>	<u>Description</u>	<u>Capital Amount</u>	<u>Build Start Date</u>	<u>Build Completion Date</u>	<u>POPs Affected</u>
N. Auburn	BellSouth	255181	New Site	\$ 165,000	22-Apr-04	(Completed)	50309
Eufaula	BellSouth	255181	New Site	\$ 165,000	6-Jun-04	30-Jun-04	29917
Eufaula-Terese	BellSouth	255181	New Site	\$ 168,000	4-Jun-04	30-Jun-04	6538
Troy	BellSouth	255181	New Site	\$ 178,000	3-Nov-03	20-Nov-03	32943
Sprague	BellSouth	255181	New Site	\$ 178,000	17-May-04	11-Jun-04	95461
Luverne	CenturyTel of Southern Alabama	259788	New Site	\$ 179,000	10-May-04	30-Jun-04	13624
Opp	CenturyTel of Southern Alabama	259788	New Site	\$ 165,000	1-Jun-04	30-Jun-04	23173
Andalusia	CenturyTel of Southern Alabama	259788	New Site	\$ 165,000	22-Apr-04	(Completed)	23034
Valley Creek	BellSouth	255181	New Site	\$ 260,000	10-Dec-03	(Completed)	18501
Selma	BellSouth	255181	New Site	\$ 236,000	29-Dec-03	(Completed)	25868
Highland Home	Mon-Cre Tel Coop	250305	New Site	\$ 116,000	15-Apr-04	(Completed)	11584
Saraland	BellSouth	255181	New Site	\$ 165,000	3-May-04	(Completed)	191675
West Mobile	BellSouth	255181	New Site	\$ 164,000	26-Apr-04	(Completed)	191308
Fairhope-PointClear	BellSouth	255181	Add 2 sectors	\$ 63,000	3-May-04	(Completed)	53432
Auburn	BellSouth	255181	Add 2 sectors	\$ 56,000	28-Apr-04	(Completed)	58020
Fairhope	BellSouth	255181	Add 2 sectors	\$ 67,000	3-May-04	(Completed)	84579
Prattville	BellSouth	255181	Add 1 sector	\$ 72,000	30-Apr-04	(Completed)	209637
Switch Capital			Capital for 13 new sites	\$ 55,000			
				<b>\$ 2,617,000</b>			

**Nextel Partners**  
**Construction Plan for Virginia Designated Areas**

<u>Location</u>	<u>Study</u> <u>Area Name</u>	<u>SAC</u>	<u>Description</u>	<u>Capital Amount</u>	<u>Build</u> <u>Start Date</u>	<u>Build</u> <u>Completion Date</u>	<u>POPs Affected</u>
Appomattox	Verizon S VA (Contel)	190233	New Site	\$ 130,000	12-Jan-04	(Completed)	12663
N. Blacksburg	Verizon VA	195040	New Site	\$ 247,000	16-Aug-04	6-Sep-04	64725
Roanoke-Hollins	Verizon VA	195040	New Site	\$ 177,000	21-Jun-04	13-Jul-04	167291
Lynchburg-Timberlake	Verizon VA	195040	New Site	\$ 181,000	1-Jun-04	22-Jun-04	119386
Chamblissburg	Verizon VA	195040	New Site	\$ 163,000	4-Oct-04	25-Oct-04	15059
Roanoke-Windy Gap	Verizon VA	195040	New Site	\$ 301,000	8-Oct-04	29-Oct-04	127814
Lynchburg-Peakland	Verizon VA	195040	New Site	\$ 228,000	8-Oct-04	29-Oct-04	101090
Lynchburg-Blue Ridge Farms	Verizon VA	195040	New Site	\$ 228,000	8-Oct-04	29-Oct-04	93171
Stewartsville	Verizon VA	195040	New Site	\$ 182,000	8-Oct-04	29-Oct-04	89546
SE Blacksburg	Verizon VA	195040	New Site	\$ 228,000	24-May-04	4-Jun-04	59366
Christianburg	Verizon VA	195040	New Site	\$ 187,000	26-Aug-04	15-Sep-04	59048
Radford	Verizon VA	195040	New Site	\$ 191,000	8-Jul-04	29-Jul-04	93042
Pulaski	Verizon VA	195040	New Site	\$ 162,000	1-Sep-04	22-Sep-04	15511
Rocky Gap	Verizon South VA	190479	New Site	\$ 139,000	9-Aug-04	30-Aug-04	1765
Strasburg	Shenandoah Tel Co	190250	New Site	\$ 178,000	8-Jul-04	29-Jul-04	10010
Harrisonburg	Verizon S VA (Contel)	190233	New Site	\$ 241,000	31-Aug-04	21-Sep-04	73830
Switch Capital			16 new sites	\$ 119,000			
				<b>\$ 3,282,000</b>			

**Nextel Partners**  
**Construction Plan for Tennessee Designated Areas**

<b><u>Location</u></b>	<b><u>Study Area Name</u></b>	<b><u>SAC</u></b>	<b><u>Description</u></b>	<b><u>Capital Amount</u></b>	<b><u>Build Start Date</u></b>	<b><u>Build Completion Date</u></b>	<b><u>POPs Affected</u></b>
Mooresburg	BellSouth	295185	New Site - Expand Coverage	\$168,000	7-Sep-04	1-Oct-04	42292
Greeneville	United Inter-Mountain Telephone	290567	New Site - Expand Coverage	\$190,000	17-May-04	8-Jun-04	84213
S. Holston Lake	United Inter-Mountain Telephone	290567	New Site - Expand Coverage	\$142,000	5-Apr-04	(Completed)	13754
Switch			Switch Capital for 3 additional sites	\$ 22,000			
				<b>\$522,000</b>			

**Nextel Partners**  
**Construction Plan for Georgia Designated Areas**

<b><u>Location</u></b>	<b><u>Study Area Name</u></b>	<b><u>SAC</u></b>	<b><u>Description</u></b>	<b><u>Capital Amount</u></b>	<b><u>Build Start Date</u></b>	<b><u>Build Completion Date</u></b>	<b><u>POPs Affected</u></b>
Forest Hills	BellSouth	225192	New Site	\$ 270,000	28-Feb-04	(Completed)	129132
Medical College	BellSouth	225192	New Site	288,000	17-May-04	15-Jun-04	24668
Augusta-Windsor Spring	BellSouth	225192	New Site	198,000	27-Apr-04	(Completed)	122037
Mercer	BellSouth	225192	New Site	223,000	3-Feb-04	(Completed)	119303
Macon-Thomaston Road	BellSouth	225192	New Site	164,000	12-Jun-04	1-Jul-04	112322
Neyami	Citizens Telephone	220355	New Site	231,000	3-Feb-04	(Completed)	47935
Ellershi	BellSouth	225192	New Site	114,000	13-Apr-04	(Completed)	158023
Lukken	BellSouth	225192	New Site	212,000	17-May-04	15-Jul-04	49466
Pine Mountain	BellSouth	225192	New Site	116,000	14-Apr-04	(Completed)	18458
Calloway Gardens	BellSouth	225192	New Site	165,000	2-Jun-04	30-Jun-04	22729
West Bainbridge	BellSouth	225192	New Site	126,000	19-Jan-04	(Completed)	24758
Bainbridge	BellSouth	225192	New Site	135,000	20-Jan-04	(Completed)	11873
Climax	BellSouth	225192	New Site	83,000	23-Jan-04	(Completed)	34192
Switch Capital			13 additional sites	55,000			
				<b>\$ 2,380,000</b>			

**Nextel Partners**  
**Construction Plan for Florida Designated Areas**

<u>Location</u>	<u>Study Area Name</u>	<u>SAC</u>	<u>Description</u>	<u>Capital Amount</u>	<u>Build Start Date</u>	<u>Build Completion Date</u>	<u>POPs Affected</u>
Pensacola NAS	BellSouth	215191	New Site	\$ 172,000	3-Aug-04	7-Sep-04	68245
Brownsdale	BellSouth	215191	New Site	116,000	14-Jun-04	30-Jun-04	24803
Berrydale	BellSouth	215191	New Site	116,000	19-May-04	30-Jun-04	20838
Tyndall AFB	GTC, Inc.	210291	New Site	142,000	19-Jul-04	16-Aug-04	124343
Tyndall AFB	GTC, Inc.	210291	New Site	144,000	19-Jul-04	16-Aug-04	8562
Eastpoint	GTC, Inc.	210291	New Site	168,000	7-Jun-04	28-Jun-04	8013
Eastpoint	GTC, Inc.	210291	New Site	149,000	7-Jun-04	28-Jun-04	698
Apalachicola	GTC, Inc.	210291	New Site	168,000	17-Jun-04	30-Jun-04	5377
Perry	GTC, Inc.	210291	New Site	120,000	29-Apr-04	7-Jun-04	9507
Perry	GTC, Inc.	210291	New Site	93,000	22-Jun-04	30-Jun-04	11726
Perry	GTC, Inc.	210291	New Site	139,000	2-Jun-04	30-Jun-04	6985
Athena	GTC, Inc.	210291	New Site	93,000	29-Apr-04	20-Jun-04	19212
Bellevue	BellSouth	215191	Site Modification	31,000	15-Jun-04	22-Jun-04	94076
Nine Mile	BellSouth	215191	Add 2 sectors	74,000	12-Apr-04	(Completed)	162972
Pensacola Switch			Switch Capital for 12 new sites	51,000			
				<b>\$1,776,000</b>			